

RENTON MUNICIPAL COURT
ADVICE OF RIGHTS

THIS **ADVICE OF RIGHTS** IS DIRECTED TO EACH DEFENDANT WHO APPEARS BEFORE THE RENTON MUNICIPAL COURT FOR ARRAIGNMENT ON ONE OR MORE CRIMINAL CHARGES.

WHEN YOUR NAME IS CALLED PLEASE COME FORWARD AND STAND AT THE COUNSEL TABLE. EACH CHARGE AGAINST YOU WILL BE READ, AND THEN YOU WILL BE ASKED WHETHER YOU UNDERSTAND YOUR RIGHTS AND WHETHER YOU PLEAD "NOT GUILTY" OR "GUILTY" TO EACH CHARGE. IF YOU HAVE ANY QUESTIONS ABOUT THE CHARGE AGAINST YOU, THE POSSIBLE PENALTIES, OR ANY OF YOUR RIGHTS OR DUTIES, PLEASE ASK THESE QUESTIONS BEFORE YOU ENTER YOUR PLEA.

YOU ARE PRESUMED INNOCENT UNDER THE LAW UNTIL YOU EITHER PLEAD GUILTY OR ARE FOUND GUILTY AFTER A TRIAL. YOU DO NOT HAVE TO PROVE YOUR INNOCENCE. THE CITY OF RENTON HAS THE BURDEN OF PROVING YOUR GUILT BEYOND A REASONABLE DOUBT.

IF YOU PLEAD "NOT GUILTY", YOUR CASE WILL BE SET FOR TRIAL. YOUR TRIAL DATE WILL BE SCHEDULED WITHIN 90 DAYS OF THE DATE OF YOUR ARRAIGNMENT (OR 60 DAYS, IF YOU ARE BEING HELD IN JAIL ON THE CHARGE PENDING TRIAL), BECAUSE YOU HAVE THE RIGHT TO A SPEEDY TRIAL.

YOU HAVE THE RIGHT TO DEMAND IN WRITING FROM THE CITY ATTORNEY THAT YOU BE PROVIDED THE USUAL POLICE REPORTS AND OTHER DISCOVERY MATERIALS THAT MUST BE MADE AVAILABLE UNDER THE WASHINGTON STATE COURT RULES. A REQUEST FOR DISCOVERY CAN BE OBTAINED FROM THE COURT CLERK'S OFFICE.

PRIOR TO TRIAL YOU WILL BE REQUIRED TO ATTEND A PRETRIAL CONFERENCE. AT THE PRETRIAL CONFERENCE, YOU OR YOUR ATTORNEY WILL HAVE THE OPPORTUNITY TO SPEAK WITH THE CITY ATTORNEY TO SEE IF THE CASE CAN BE RESOLVED WITHOUT A TRIAL. ALSO, ANY DISCOVERY ISSUES, MOTIONS, OR OTHER REQUESTS WILL BE ADDRESSED AT THAT TIME.

YOU HAVE THE RIGHT TO A TRIAL BY A SIX PERSON IMPARTIAL JURY. IF YOU WANT A TRIAL BY JURY, YOU SHOULD EXPECT TO SPEND AT LEAST ONE FULL DAY IN TRIAL. YOU ALSO MAY HAVE YOUR CASE HEARD BY A JUDGE ALONE, WITHOUT A JURY. IF YOU PLEAD "NOT GUILTY," YOU WILL BE ASKED BY THE COURT TO DECIDE IN WRITING WHETHER YOU WANT A JURY TRIAL OR A NON-JURY TRIAL. YOU HAVE TEN DAYS IN WHICH TO CHANGE YOUR MIND FOR ANY REASON; HOWEVER, IF YOU DO SO, YOU MUST ADVISE THE COURT IN WRITING.

YOU HAVE THE RIGHT TO FILE ONE AFFIDAVIT OF PREJUDICE TO GET ANOTHER JUDGE TO HEAR YOUR CASE.

AT THE TIME OF TRIAL, WHETHER TO A JUDGE OR TO A JURY, YOU HAVE THE RIGHT TO CONFRONT WITNESSES AGAINST YOU, THAT MEANS TO FACE THEM AND TO CROSS EXAMINE THEM, IF YOU WISH. YOU ARE ENTITLED TO PRESENT WITNESSES ON YOUR OWN BEHALF, AND TO HAVE THEM SUBPOENAED FOR YOU BY THE COURT AT NO EXPENSE TO YOU, IF NECESSARY. YOU MAY CHOOSE TO REMAIN SILENT AT TRIAL AND NO INFERENCE OF GUILT MAY BE MADE FROM YOUR EXERCISE OF YOUR FIFTH AMENDMENT RIGHT TO REMAIN SILENT. IF YOU CHOOSE TO WAIVE YOUR RIGHT TO REMAIN SILENT, YOU CAN BE QUESTIONED THE SAME AS ANY OTHER WITNESS.

YOU HAVE THE RIGHT TO APPEAL ANY FINAL DECISION BY THIS COURT TO THE KING COUNTY SUPERIOR COURT BY FILING A "NOTICE OF APPEAL" WITH THIS COURT AND THE CITY ATTORNEY WITHIN 30 DAYS OF THE DATE OF ENTRY OF THE FINAL DECISION. A COPY OF WRITTEN INSTRUCTIONS REGARDING THE FILING OF A NOTICE OF APPEAL CAN BE OBTAINED FROM THE COURT CLERK'S OFFICE.

(SEE REVERSE)

IF YOU DECIDE TO PLEAD "GUILTY", YOU SHOULD KNOW THAT A PLEA OF GUILTY IS A CONFESSION OF GUILT, AND THE RESULT IS THE SAME AS A CONVICTION. THE GUILTY PLEA ADMITS ALL OF THE ELEMENTS OF THE OFFENSE CHARGED AS SET FORTH IN THE FORMAL COMPLAINT OR CITATION. BY PLEADING GUILTY, YOU ARE GIVING UP EACH OF THE RIGHTS IDENTIFIED PREVIOUSLY, AS WELL AS YOUR RIGHT TO APPEAL THE DETERMINATION OF GUILT. FURTHERMORE, IF YOU ARE NOT A CITIZEN OF THE UNITED STATES, A PLEA OF GUILTY IS GROUNDS FOR DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZATION UNDER THE LAWS OF THE UNITED STATES.

IF YOU PLEAD "GUILTY," YOU WILL BE ASKED TO SIGN THE WRITTEN STATEMENT ON THE GUILTY PLEA. AFTER THE COURT MAKES A FINDING OF GUILT, THE COURT MAY SENTENCE YOU IMMEDIATELY IF THE COURT HAS SUFFICIENT INFORMATION. IF NOT, YOU WILL BE REQUIRED TO COME BACK TO COURT ON ANOTHER DAY FOR SENTENCING. PRIOR TO SENTENCING YOU WILL BE GIVEN THE OPPORTUNITY TO SAY ANYTHING YOU WISH ABOUT THE INCIDENT OR ABOUT YOURSELF TO ASSIST THE COURT IN DETERMINING THE APPROPRIATE SENTENCE.

IT IS IMPORTANT NOT TO MISS ANY SCHEDULED COURT DATE, TO KEEP THE COURT ADVISED OF ANY CHANGES OF ADDRESS OR PHONE NUMBER AND TO CALL THE COURT IN THE EVENT OF AN UNAVOIDABLE EMERGENCY WHICH PREVENTS YOU FROM COMING TO COURT AS SCHEDULED. IT IS ENTIRELY WITHIN THE DISCRETION OF THE JUDGE WHETHER TO EXCUSE YOUR ABSENCE OR TO ISSUE A BENCH WARRANT FOR YOUR IMMEDIATE ARREST. IF A WARRANT IS ISSUED, A \$50 WARRANT FEE WILL BE ASSESSED. IF YOU FAIL TO APPEAR MORE THAN ONCE ON A PARTICULAR CHARGE, YOU WILL BE REQUIRED TO PAY THE \$ 50 WARRANT FEE BEFORE YOU WILL BE ALLOWED TO ADDRESS THE JUDGE ABOUT THE WARRANT.

FINALLY, YOU HAVE THE RIGHT TO CONSULT WITH AN ATTORNEY BEFORE YOU ENTER YOUR PLEA AND THE RIGHT TO BE REPRESENTED BY AN ATTORNEY AT ANY PROCEEDING IN THIS COURT. THIS COURT IS SPECIFICALLY ADVISING YOU THAT YOU MUST EITHER BE REPRESENTED BY AN ATTORNEY OR MAKE A KNOWING AND INTELLIGENT WAIVER OF YOUR RIGHT TO BE REPRESENTED. IF YOU WISH TO BE REPRESENTED BY AN ATTORNEY AND YOU DO NOT HAVE THE MONEY OR PROPERTY WITH WHICH TO HIRE ONE, ONE CAN BE APPOINTED FOR YOU AT PUBLIC EXPENSE. IF YOU ARE CURRENTLY BEING REPRESENTED BY A PUBLIC DEFENDER IN ANOTHER MATTER YOU WILL NEED TO APPLY AND QUALIFY AGAIN IN ORDER TO BE REPRESENTED BY A PUBLIC DEFENDER WITH REGARD TO THE MATTER ON WHICH YOU ARE NOW BEING ARRAIGNED. IT IS YOUR DUTY TO MAKE ARRANGEMENTS FOR AN ATTORNEY, WHICH MEANS TO HIRE ONE AT YOUR OWN EXPENSE, IF YOU CAN AFFORD ONE, OR TO SCREEN FOR A PUBLIC DEFENDER. THIS COURT IS NOT LIKELY TO GRANT YOU A CONTINUANCE SIMPLY BECAUSE YOU DELAYED IN MAKING ARRANGEMENTS FOR AN ATTORNEY.

IF YOU DECIDE TO REPRESENT YOURSELF, YOU SHOULD BE AWARE THAT YOU MAY BE AT A SIGNIFICANT DISADVANTAGE BECAUSE YOU WILL BE HELD TO THE SAME STANDARD AS AN ATTORNEY AND YOU WILL BE REQUIRED TO KNOW AND FOLLOW THE LAWS AND COURT RULES WHICH ARE TECHNICAL AND COMPLEX.

I HAVE READ OR HAD READ TO ME AND UNDERSTAND THE ABOVE INFORMATION.

DATE _____ DEFENDANT _____